

**In The United States Patent and Trademark Office
On Appeal From The Examiner To The Board
of Patent Appeals and Interferences**

In re Application of: Greg E. McRae
Serial No.: 10/807,217
Filing Date: March 22, 2004
Group Art Unit: 3727
Confirmation No.: 3298
Examiner: Stephen J. Castellano
Title: UNDERGROUND TANK SHROUD ASSEMBLY

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**Supplemental Appeal Brief in Response to
Notification of Non-Compliant Appeal Brief**

Appellant has appealed to the Board of Patent Appeals and Interferences ("Board") from the decision of the Examiner mailed January 29, 2008, finally rejecting pending Claims 1-12, 15-16, and 19-36 ("Final Office Action"). Appellant received an Advisory Action on April 21, 2008 ("Advisory Action") maintaining the rejections of the Final Office Action. Appellant filed a Notice of Appeal on May 29, 2008 along with a Pre-Appeal Brief Request for Review. The Pre-Appeal Panel in a decision of July 3, 2008, determined that this Application should Proceed to Appeal. Appellant submitted an Appeal Brief on July 29, 2008. Appellants respectfully submit this Supplemental Appeal Brief, including the status of all claims, in response to the Notification of Non-Compliant Appeal Brief mailed August 12, 2008.